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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 CISCO SYSTEMS, INC.,

18 Plaintiff,

19 v.

20 ARISTA NETWORKS, INC.,

21 Defendant.
22

Case No. 5:14-cv-05344-BLF (NC)

**DEFENDANT ARISTA NETWORKS,
INC.'S ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER SEAL IN
CONNECTION WITH ARISTA'S
OPPOSITION TO CISCO SYSTEMS,
INC.'S MOTION TO EXCLUDE OPINION
TESTIMONY OF WILLIAM M. SEIFERT**

23 Judge: Hon. Beth Labson Freeman

24 Date Filed: December 5, 2014

25 Trial Date: November 21, 2016
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Pursuant to the Northern District of California's Civil Local Rules 7-11 and 79-5(d)-(e), Defendant Arista Networks, Inc. respectfully submits this administrative motion to file under seal documents and information filed in connection with Arista Networks, Inc.'s Opposition to Cisco Systems, Inc.'s Motion to Exclude Opinion Testimony of William M. Seifert.

Arista requests an order granting its motion to seal the following documents:

Document	Portions of Document to be Sealed	Parties Claiming Confidentiality
Arista Network Inc.'s Opposition to Cisco's Motion to Exclude Expert Opinion Testimony of William M. Seifert	Highlighted Portions	<i>Cisco</i>
Exhibit 1 to the Declaration of Andrea Nill Sanchez in Support of Arista Network Inc.'s Opposition to Cisco Systems, Inc.'s Motion to Exclude Opinion Testimony of William M. Seifert ("Exhibit 1")	Entire	<i>Cisco</i>
Exhibit 4 to the Declaration of Andrea Nill Sanchez in Support of Arista Network Inc.'s Opposition to Cisco Systems, Inc.'s Motion to Exclude Opinion Testimony of William M. Seifert ("Exhibit 4")	Entire	<i>Arista</i> <i>Cisco</i>
Exhibit 5 to the Declaration of Andrea Nill Sanchez in Support of Arista Network Inc.'s Opposition to Cisco Systems, Inc.'s Motion to Exclude Opinion Testimony of William M. Seifert ("Exhibit 5")	Entire	<i>Arista</i> <i>Cisco</i>

1 Arista's Opposition to Cisco Systems, Inc.'s Motion to Exclude Opinion Testimony of
 2 William M. Seifert is a non-dispositive motion. In the context of non-dispositive motions, the
 3 materials may be sealed so long as the party seeking sealing makes a "particularized showing"
 4 under the "good cause" standard of Federal Rule of Civil Procedure 26(c). *Kamkana v. City and*
 5 *Cnty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006) (quoting *Foltz v. State Farm Mutual Auto*
 6 *Insurance Co.*, 331 F.3d 1122, 1138 (9th Cir. 2003)). In addition, Civil Local Rule 79-5 requires
 7 that a party seeking sealing "establish[] that the document, or portions thereof, are privileged,
 8 protectable as a trade secret or otherwise entitled to protection under the law" (*i.e.*, that the
 9 document is "sealable"). Civil L.R. 79-5(b). The sealing request must also "be narrowly tailored
 10 to seek sealing only of sealable material." *Id.*

11 For the portions of the foregoing exhibits that Arista seeks to file under seal, Arista has
 12 established good cause to seal those materials through the Declaration of Andrea Nill Sanchez in
 13 Support of Arista's Administrative Motion to File Under Seal, which is being filed
 14 contemporaneously herewith. Also filed concurrently with this Motion are redacted and
 15 highlighted versions of the above-referenced documents indicating the specific portions of the
 16 documents that Arista is submitting under seal.

17 To the extent that Arista has not sought to seal Arista-related material, Arista takes no
 18 position on whether the Cisco-designated portions of any of the foregoing documents should be
 19 filed under seal. For those portions of the materials submitted under seal, Arista files this
 20 administrative motion only to afford Cisco the opportunity to defend its confidentiality
 21 designations as provided by Civil Local Rule 79-5(e).

22 Dated: August 19, 2016

KEKER & VAN NEST LLP

WILSON SONSINI GOODRICH & ROSATI

25 By: /s/ Andrea Nill Sanchez
 26 ANDREA NILL SANCHEZ

27 Attorneys for Defendant
 28 ARISTA NETWORKS, INC.